

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

IN RE:

**JOE JESSE MONGE and
ROSANA ELENA MONGE,**

Debtors.

**EL PASO AREA TEACHERS FEDERAL
CREDIT UNION,**

Movant,

vs.

**JOE JESSE MONGE and
ROSANA ELENA MONGE,**

Respondents.

Case No.: 09-30881-LMC

CHAPTER 11

**RESPONSE TO MOTION OF FOR RELIEF FROM AUTOMATIC STAY AGAINST
PROPERTY OF THE ESTATE PURSUANT TO 11 U.S.C. SECTION 362(d)
(WITH WAIVER OF THIRTY DAY HEARING REQUIREMENT)**

TO THE HONORABLE LEIF M. CLARK, UNITED STATES BANKRUPTCY JUDGE:

Now comes Joe Jesse Monge and Rosana Elena Monge, Debtors in the above entitled and numbered case by and through Sidney J. Diamond of Sidney Diamond, P.C., their attorney of record and files this Response to Motion for Relief from Automatic Stay Against Property of the Estate Pursuant to 11 U.S.C. Section 362(d) (With Waiver of Thirty Day Hearing Requirement) filed by El Paso Area Teachers Federal Credit Union and would respectfully show the Court the following:

1. The Debtors admit the allegation contained in paragraph 1 through 3 of the Motion.
2. The Debtors deny the allegations contained in paragraphs 4 through 12 of the Motion.

AFFIRMATIVE DEFENSES

3. The Property is necessary for the effective reorganization of the estate of the Debtors.

**RESPONSE TO MOTION OF EL PASO AREA TEACHERS FEDERAL CREDIT
UNION FOR RELIEF FROM AUTOMATIC STAY Page - 1**

WHEREFORE, THE DEBTORS PRAY:

1. That the Motion of for Relief from Automatic Stay be denied; and,
2. For such other and further relief as the Debtors may show themselves to be justly entitled.

DATED: June 23, 2009

Respectfully submitted,

SIDNEY DIAMOND, P.C.

/s/ Sidney J. Diamond

By: Sidney J. Diamond
Attorney for Debtor
Texas Bar Card No.: 5803000
3800 N. Mesa, Suite C-4
El Paso, Texas 79902
(915) 532-3327 Voice
(915) 532-3355 Fax
Sidney@sidneydiamond.com

CERTIFICATE OF SERVICE

I, Sidney J. Diamond, do hereby certify that on June 23, 2009, a true and correct copy of the foregoing Response to Motion of for Relief from Automatic Stay filed by El Paso Area Teachers Federal Credit Union was served, via electronic means as listed on the Court's ECF noticing system or by depositing the same in the United States Mail, properly addressed and postage prepaid, to the following parties:

THE DEBTORS:

Joe Jesse Monge
Rosana Elena Monge
51 Sierra Crest Drive
El Paso, Texas 79902

COUNSEL FOR MOVANT:

Carlos A. Miranda, III
5915 Silver Springs, Bldg. 3A
El Paso, TX 79912

THE UNITED STATES TRUSTEE:

Kevin Epstein
Office of the United States Trustee
P.O. Box 1539
San Antonio, TX 78295-1539

/s/Sidney J. Diamond

Sidney J. Diamond